OF SOUTH CAROLINA, Delivered in the Senate of the United States, on the 4t of March, 1850, on the Slavery question.

The Senate proceeded to the consideration of special order, being the resolutions submitted by Mr. Clay, upon which this day had been assigned to the Senator from South Carolina, (Mr. Calhoun.)

Mr. Calhoun said, as much indisposed as I have been, Mr. President and Senators, I have felt it to be my duty to express to you my sentiments upon the great question which has agitated the country and occupied your attention. And I am under peculiar obligations to the Senate for the very courteous manner in which they have afforded me an opportunity of being heard to-day.

I had hoped that it would have been in my power

during the last week to have delivered my views in relation to this all-engrossing subject, but I was prevented from doing so by being attacked by a cold which is at this time so prevalent, and which has retarded the recovery of my strength.

Acting under the advice of my friends, and apprehending that it might not be in my power to deliver my sentiments before the termination of the debate. I have reduced to writing what I intended to say. And, without further remark, I will ask the favor of my friend, the Senator behind me, to read it. Mr. Mason. It affords me great pleasure to com-

ply with the request of the honorable Senator, and to read his remarks. The honorable gentleman then read Mr. Calhoun's

would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a period when it can no longer consideration: How can the Union be preserved?

tion, it is indispensable to have an accurate and thorough knowledge of the nature and character of the cause by which the Union is endangered. Without such knowledge it is impossible to pronounce with any certainty, by what measure it can be saved; just as it would be impossible for a physician to pronounce, in the case of some dangerous disease, with any, certainty, by what remedy the patient could be saved, without familiar knowledge of the nature and characture of the cause of the disease. The first question, then, presented for consideration, in the investigation I propose to make, in order to obtain such knowledge, is: What is it that has endangered the Union?

To this question thre can be but one answer; that the immediate cause is the almost universal discontent which pervades all the States composing the Southern section of the Union. This widely-extended discon- portion of Louisiana which lies north of 36° 30', extent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasfurther back, is: What has caused this widely-diffused and almost universal discontent?

force which this cause exerted against agitation and to the South. in favor of preserving quiet. But, as great as it was, sidered is: What has caused this belief?

ring the time. I will not enumerate them at present, as it will be done hereafter, in its proper place.

There is another, lying back of it, with which this Government. 1790 and the last census of 1840.

of the States between the two sections under the first emigration from all quarters to that section. census. There was a small preponderance in the between them has been greatly disturbed.

According to the last census the aggregate population of the United States amounted to 17,063,357, of existed; if the South had retained all the capital present perilous condition, would have become extinwhich the Northern section contained 9,728,920, and the Southern 7,334,437, making a difference, in round tion of the Government; and, if it had not been exdition of ten States. In the mean time the position the Mississippi rivers, and between the Mississippi retaining party ascendancy, that all other considera- conciliate them by pronouncing eulogies on it. of Delaware had become doubtful as to which sec- and the Rocky Mountains north of 36° 30', it scarce- tions were overlooked or forgotten. the Northern States will have thirteen and the South- emigration with the North, and, by retaining her own sequences. With the success of their first movement, ally comes from our assailants. But we cannot believe ern States twelve; making a difference in the Senate people, would have at least equalled the North in this small fanatical party began to acquire strength; them to be sincere; for if they loved the Union. of two Senators in favor of the former. According to population under the census of 1840, and probably and with that to become an object of courtship to both they would necessarily be devoted to the Constituthe apportionment under the census of 1840, there were under that about to be taken. She would also, if she the great parties. The necessary consequence was a tion. It made the Union, and to destroy the Consti-223 members of the House of Representatives, of had retained her equal rights in those Territories, further increase of power, and a gradual tainting of tution would be to destroy the Union. But the only which the Northern States had 135 and the Southern have maintained an equality in the number of States the opinions of both of the other parties with their reliable evidence of devotion to the Constitution is, States (considering Deleware as neutral) 87; making with the North, and have preserved the equilibrium doctrines, until the infection has extended over both; to abstain, on the one hand, from violating it, and to a difference in favor of the former in the House of between the two sections that existed at the com- and the great mass of the population of the North Representatives of 48. The difference in the Senate mencement of the Government. The loss then of the who, whatever may be their opinion of the original of two members, added to this, gives to the North in the electoral college a majority of 50. Since the Government.

equilibrium is to be attributed to the action of this abolition party, which still preserves its distinctive organization, hardly ever fail, when it comes to act-Census of 1840 four States have been added to the Union: Iowa, Wisconsin, Florida, and Texas. They

entire Government.

cade, will effectually and irretrievably destroy the though it still retains its outward form.

Had this destruction been the operation of time, excluded from the common territory belonging to all dency at any absolute Government that ever existed.

istence of this Government. It is to be found in the entertains views and feelings more or less hostile to provision of the ordinance of 1787. Its effect was to it. Those most opposed and hostile, regard it as a ing ever since. The next question, going one step whole of the Oregon Territory. All these, in the bound to use all efforts to effect the same object; all parts of the Union met to transact business relaslang of the day, were what are called slave territo- while those who are least opposed and hostile, regard certain politicians, who resorted to it as the means of valley of the Mississippi. To the South was left the two races to the greatest calamity, and the section to cals, with a view retrieving their fortunes. On the contrary, all the portion of the Territory of Louisiana lying south of poverty, desolation, and wretchedness; and accord- and for the support of the doctrines and creeds of the great political influences of the section were arrayed 36° 30', including the States of Louisiana and Arkan-ingly they feel bound, by every consideration of in-denomination. All this combined, contributed greatagainst excitement, and exerted to the utmost to keep sas; and the territory lying west of the latter and terest and safety, to defend it. the people quiet. The great mass of the people of south of 36° 30', called the Indian country. These, This hostile feeling on the part of the North tothe South were divided, as in the other section, into with the Territory of Florida, now the State, makes wards the social organization of the South long lay strong cord to hold the whole Union together; but, remain in the Union. It is in fact but a modification of Whigs and Democrats. The leaders and the presses in the whole 283,503 square miles. To this must be dormant, but it only required some cause to act on as powerful as they were, they have not been able to the Wilmot proviso. It proposes to effect the same obof both parties in the South were very solicitous to added the territory acquired with Texas. If the those who felt most intensely that they were responprevent excitement and to preserve quiet; because it whole should be added to the Southern section, it sible for its continuance, to call it into action. The was seen that the effects of the former would neces- would make an increase of 825,520, which would increasing power of this Government, and of the conearly tend to weaken, if not destroy, the political make the whole left the South 609,023. But a large trol of the Northern section over all its departments, ties which united them with their respective parties part of Texas is still in contest between the two furnished the cause. It was this which made an in the other section. Those who know the strength sections, which leaves it uncertain what will be the impression on the minds of many that there was little

discontent which now pervades the section. No; most strenuous efforts to appropriate the whole to relation between the two races in the South. some cause, far deeper and more powerful than the herself, by excluding the South from every foot of it. The first organized movement towards it commenone supposed, must exist, to account for discontent If she should succeed, it will add to that from which ced in 1835. Then, for the first time, societies were so wide and deep. The question, then, recurs: the South has already been excluded 526,078 square organized, presses established, lecturers sent forth to main, as things now are, consistently with honor and from in Texas. To sum up the whole, the United ings were held every where, and resolutions adopted, mains unbroken and entire. safety, in the Union. The next question to be con- States, since they declared their independence, have calling upon the North to apply a remedy to arrest One of the causes is, undoubtedly, to be traced to which the North will have excluded the South, if measures for their own protection if it was not arrest-

is intimately connected, that may be regarded as the The next is the system of revenue and disbursegreat and primary cause. That is to be found in the ments which has been adopted by the Government. fact that the equilibrium between the two sections in It is well known that the Government has derived the Government, as it stood when the constitution its revenue mainly from duties on imports. I shall was ratified and the Government put in action, has not undertake to show that such duties must neces- sympathy with them or their cause. The members been destoyed. At that time there was nearly a per-fect equilibrium between the two, which afforded the South, as the great exporting portion of the Un-luctance. Nevertheless, as small and contemptible nessee, which then were in their incipient condition to put money, not in the treasury, but directly into gress was bound to receive petitions on every subject, the sacred name of union. of becoming States, but were not actually admitted, the pockets of the manufacturers, some conception amounted to 3,929,827. Of this number the North- may be formed of the immense amount which, in the Vermont, Kentucky, and Tennessee, was sixteen, of that it amounts to hundreds of millions of dollars. Northern section, and eight, including Kentucky and cient to add greatly to the wealth of the North, and the commencement of the agitation, which has ever the wealth of the North, and the commencement to the present time, as I shall proceed to that the inhabitants of the Territories possess the sover-Tennessee, to the Southern, making an equal division thus greatly increase her population by attracting since continued, and which, as is now acknowledged, or and their safety. There is, again, only one way show.

This, combined with the great primary cause, ampat the time. Such was the equality of the two sec- isfactorily accounted for by the number of emigrants, Had my voice been heeded, and had Congress refus- saved. tions when the States composing them agreed to en- and the increase of their descendants, which have ed to take jurisdiction, by the united votes of all parter into a Federal Union. Since then the equilibrium been attracted to the Northern section from Europe ties, the agitation which followed would have been and the South, in consequence of the advantages prevented, and the fanatical zeal that gives impulse derived from the causes assigned. If they had not to the agitation, and which has brought us to our . Considering her as neutral, I y admits of a doubt that it would have divided the

leave the difference in the Senate as it stood when the Government was leading to a radical change in it the sphere of their action. In a short time after the the census was taken; but add two to the side of the its character, by concentrating all the power of the commencement of their first movement, they had ac-North in the House, making the present majority in system in itself. The occasion will not permit me quired sufficient influence to induce the Legislatures set aside and annul the clause of the constitution prothe House in its favor 50, and in the electoral col- to trace the measures by which this great change has of most of the Northern States to pass acts which in viding for the delivery of fugitive slaves answer. I been consummated. If it did, it would not be diffi- effect abrogated the provision of the constitution that cite this, not that it is the only instance (for there are

tains, the right to decide in the last resort as to the Territories acquired or to be acquired, and to prevent ry'in the States—an object all acknowledge to be un-

the decided preponderance of the North in the House of Representatives and in the electoral college. The prospect is, also, that a great increase will be added to its present preponderance in the Senate during the period of the decade by the addition of new States. Two Territories, Oregon and Minnesota, are already in progress, and strenuous efforts are making to bring in progress, and strenuous efforts are making to bring in progress, and strenuous efforts are making to bring and exercising such rights? And, if none in almost all their measures. in three additional States from the territory recently can be, how can the separate Governments of the conquered from Mexico; which, if successful, will States maintain and protect powers reserved to them add three other States in a short time to the Northern by the constitution, or the people of the several States there to prevent its further progress, until it fulfils section, making five States; and increasing the present number of its States from fifteen to twenty, and others, the sovereign powers by which they ordained of its Senators from thirty to forty. On the contrary, and established, not only their seperate State constitution one of the causes, which has added to its increase there is not a single Territory in progress in the tutions and Governments, but also the constitution from its original small and contemptible beginning Southern section, and no certainty that any additional and Government of the United States? But, if they until it has attained its present magnitude, diminish-state will be added to it during the decade. The have no constitutional means of maintaining them ed in force? Is the original cause of the movement, State will be added to it during the decade. The have no constitutional means of maintaining them prospect then is, that the two sections in the Senate, against the right claimed by this Government it neshould the efforts now made to exclude the South cessarily follows that they hold them at its pleasure from the newly-acquired Territories succeed, will and discretion, and that all the powers of the system Abolition party less numerous or influential, or have stand, before the end of the decade, twenty Northern are in reality concentrated in it. It also follows that States to fourteen Southern, (considering Delaware as the character of the Government has been changed. neutral,) and forty Northern Senators to twenty-eight in consequence, from a federal republic, as it origi-Southern. This great increase of Senators, added to nally came from the hands of its framers, and that it the great increase of members of the House of Rep- has been changed into a great national consolidated resentatives and the electoral college on the part of democracy. It has indeed, at present, all the charthe North, which must take place under the next de- acteristics of the latter, and not one of the former, al-

equilibrium which existed when the Government com- The result of the whole of these causes combine is, that the North has acquired a decided ascendandency over every department of this Government, and without the interference of Government, the South through it a control over all the powers of the syswould have had no reason to complain; but such was tem. A single section, governed by the will of the and final object at which it aims—the abolition of fil the objects for which it was instituted, by being not the fact. It was caused by the legislation of this numerical majority, has now, in fact, the control of slavery in the States—is consummated? Is it, then, permanently and hopelessly converted into the means remarks as follows:

Mr. Calhoun. I have, Senators, believed from the first that the agitation of the subject of slavery

The legislation by which it has been to arrest it, the South will be forced to choose between the first that the agitation of the subject of slavery effected may be classed under three heads. The first pow converted, in reality, into one as absolute as that abolition and secession? Indeed, as events are now is, that series of acts by which the South has been of the Autocrat of Russia, and as despotic in its ten-

and which have had the effect of extending vastly the the Government, it is manifest that on all questions as I shall next proceed to show. portion allotted to the Northern section, and restrict- between it and the South, where there is a diversity ing within narrow limits the portion left the South; of interests, the interest of the latter will be sacrificed the next consists in adopting a system of revenue and to the former, however oppressive the effects may be, these States together in one common Union are far and prospered, through a long course of years, undisbursements, by which an undue proportion of the as the South possesses no means by which it can rebe disguised or denied that the Union is in danger.

You have thus had forced upon you the greatest and burden of taxation has been imposed upon the South, sist, through the action of the Government. But if be the work of time. It is only through a long profit to the meeting of the individuals to form their so-called the south of the south o You have thus had forced upon you the greatest and the greatest and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated there was no question of vital importance to the South, there was no question of vital importance to the South, there was no question of vital importance to the South, there was no question of vital importance to the South, there was no question of vital importance to the South, is the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriate the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that can ever come under your and an undue proportion of its proceeds appropriated the gravest question that the grave to the North; and the last a system of political meas- in reference to which there was a diversity of views consideration: How can the Union be preserved!

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To give a satisfactory ment has been radically changed. I propose to be endured, without the hazard of destruction to the bestow upon each of these, in the order they stand, South. But such is not the fact. There is a ques- the others, as I shall proceed to show. a few remarks, with the view of showing that it is tion of vital importance to the Southern section, in owing to the action of this Government that the reference to which the views and feelings of the two ly many, but various in character. Some are spiritual is every reason to believe that he was devotedly Having now shown that the assumption upon which whole powers of the system centered in a sectional sections are as opposite and hostile as they can possi-

The first of the series of acts by which the South | I refer to the relation between the two races in the was deprived of its due share of the territories, orig- Southern section, which constitutes a vital portion of inated with the Confederacy, which preceded the ex- her social organization. Every portion of the North exclude the South entirely from that vast and fertile sin, and consider themselves under the most sacred region which lies between the Ohio and the Missis- obligations to use every effort to destroy it. Indeed sippi rivers, now embracing five States and one Ter- to the extent that they conceive they have power, ritory. The next of the series is the Missouri com- they regard themselves as implicated in the sin, and promise, which excluded the South from that large responsible for suppressing it by the use of all and cepting what is included in the State of Missouri. it as a crime—an offence against humanity, as they gress. At these meetings the principal clergymen The last of the series excluded the South from the call it; and, although not so fanatical, feel themselves ries, and not free soil; that is, territories belonging it as a blot and a stain on the character of what they to what appertained to the doctrines and discipline

whatever it might choose to do. This was sufficient

acquired 2,373,046 square miles of territory, from the threatened evil, and pledging themselves to adopt Such is the first and great cause that has destroy- what they called the internal slave trade between the ed the equilibrium between the two sections in the States, announcing at the same time that their ulti-District, but in the States and throughout the Union.

At this period the number engaged in the agitation was small, and possessed little or no personal influence. however objectionable it might be, and whether they had or had not jurisdiction over the subject. These has endangered the Union.

As for myself, I believed, at that early period, if

What has since followed are but the natural con-

is to be taken this year, which must add greatly to try. That it also claims the right to resort to force And Congress is invoked to do all this expressly with denounced the agitators or their attempts to ef- States—that is, in the several States composing the United to be unconstitutional or a jon—and that the power of legislating and the United States.

Such is a brief history of the agitation, as far as it has yet advanced. Now, I ask Senators, what is measure should be adopted to prevent it? Has any that slavery is a sin, and ought to be suppressed, they less influence over, or control over the two great parties of the North in elections? Or has the South greater means of influencing or controlling the movements of this Government now than it had when the agitation commenced? To all these questions but one answer can be given: no, no! The very reverse is true. Instead of being weaker, all the elewere in 1835, when it first commenced, while all the repelling wrong. I trust that in this respect we profelements of influence on the part of the South are fited by his example. weaker. Unless something decisive is done, I again moving, it will not require the South to secede to between submission and disunion. dissolve the Union. Agitation will of itself effect of the States, as the members of the Federal Union, As, then, the North has the absolute control over it, of which its past history furnishes abundant proof, between the parent country and her then colonies. It

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bind too numerous and powerful for that. Disunion must till they became populous and wealthy. Its beneuntil the whole fabric falls asunder. Already the ishing commerce, which richly rewarded the parent ly to Congress. Indeed, they are identical, in many rethe most important, and has greatly weakened all and protecting them. Washington was born and it gives permission to a Territory to form a constitution

The cords that bind the States together are not onor ecclesiastical; some political; others social. Some attached to it. But his devotion was a rational appertain to the benefit conferred by the Union, and

others to the feeling of duty and obligation. The strongest of those of a spiritual and ecclesiastical nature consisted in the unity of the great religious denominations, all of which originally embraced the whole Union. All these denominations, with the exbeginning with smaller meetings corresponding with the political divisions of the country, their organization terminated in one great central assemblage. and lay members of the respective denominations from ting to their common concerns. It was not confined y to strengthen the bonds of the Union. The strong the States composing the southern section of the Union, ties which held each denomination together formed a resist the explosive effect of slavery agitation.

explosive force, was that of the powerful Methodist Episcopal Church. The numerous and strong ties itself by solemn resolutions to resist, should it be adoptwhich held it together are all broke, and its unity ed. Its opposition is not to the name, but that which gone. They now form separate churches; and in- it proposes to effect—that the southern States hold to be of party ties will readily appreciate the immense real extent of the portion of territory that may be left or no restraint to prevent the Government from doing stead of that feeling of attachment and devotion to the interests of the whole church which was former- as members of the common Union, and calculated to de-I have not included the territory recently acquired of itself to put the most fanatical portion of the North ly felt, they are now arrayed in two hostile bodies, stroy, irretrievably, the equilibrium between the two it was not sufficiently so to prevent the wide-spread by the treaty with Mexico. The north is making the in action for the purpose of destroying the existing engaged in litigation about what was formerly their sections. These objections apply equally to what, for

The next cord that snapped was that of the Baptists, one of the largest and most respectable of the of effecting the object, and in that respect I must say denominations. That of the Presbyterian is not en- that the latter is much the least objectionable. It goes What is the cause of this discontent? It will be found miles, and would increase the whole which the North excite the people of the North, and incendiary publi- tirely snapped, but some of its strands have given to its object openly, boldly, and distinctly. It claims for in the belief of the people of the Southern States, as has appropriated to herself to 1,761,023, not include cations scattered over the whole South, through the way. That of the Episcopal Church is the only one Congress unlimited power over the Territories, and proprevalent as the discontent itself, that they cannot re- ing the portion that she may succeed in excluding us mail. The South was thoroughly aroused. Meet- of the four great Protestant denominations which re- poses to assert it over the Territories acquired from Mex-

of the many and strong ties that have held together der to elude the Wilmot Proviso, and thereby avoid enthe two great parties, which have, with some modithe long continued agitation of the slave question on she should succeed in monopolizing the newly-ac- ed. At the meeting of Congress petitions poured in fications, existed from the beginning of the Govern- South, it denies, by implication, the authority of Conthe part of the North, and the many aggressions which they have made on the rights of the South du
the part of the North, and the many aggressions quired territories, from about three-fourths of the whole, leaving to the South but about one-fourth.

They both extended to every portion of the gress to legislate for the Territories, and claims the right lunion, and strongly contributed to hold all its parts as belonging exclusively to the inhabitants of the Territories. together. But this powerful cord has fared no better tories. But to effect the object of excluding the South, than the spiritual. It resisted for a long time the it takes care in the mean time, to let in emigrants freely mate object was to abolish slavery, not only in the explosive tendency of the agitation, but has finally snapped under its force-if not entirely, in a great measure. Nor is there one of the remaining cords which have not been greatly weakened. To this ex-Neither party in Congress had, at that time, any tent the Union has already been destroyed by agita- quence is to exclude the South from the Territory, just tion, in the only way it can be, by snapping asunder

If the agitation goes on, the same force, acting ample means to each to protect itself against the ag- ion, has in reality paid vastly more than her due pro- as the party then was, both of the great parties of the with increased intensity, as has been shown, will gression of the other; but, as it now stands, one sec- portion of the revenue; because I deem it unneces- North dreaded them. They felt that, though small, finally snap every cord, when nothing will be left to tion has the exclusive power of controlling the Gov- sary, as the subject has on so many occasions been they were organized in reference to a subject which hold the States together except force. But surely that ernment, which leaves the other without any adequate fully discussed. Nor shall I, for the same reason, had a great and commanding influence over the can, with no propriety of language, be called a union. means of protecting itself against its encroachment undertake to show that a far greater portion of the Northern mind. Each party, on that account, feared when the only means by which the weaker is held and oppression. To place this subject distinctly be- revenue has been disbursed at the North than its due to oppose their petitions, lest the opposite party connected with the stronger portion is force. It may, fore you, I have, Senators, prepared a brief statistical share, and that the joint effect of these causes has should take advantage of the one who might do so, indeed, keep them connected; but the connection statement, showing the felative weight of the two been to transfer a vast amount from South to North, by favoring their petitions. The effect was, that both will partake much more of the character of subjugasections in the Government under the first census of which, under an equal system of revenue and dis- united in insisting that the petitions should be receiv- tion, on the part of the weaker to the stronger, than bursements, would not have been lost to her. If to ed, and that Congress should take jurisdiction of the the union of free, independent, and sovereign States, According to the former, the population of the Uni- this be added, that many of the duties were imposed, subject for which they prayed. To justify their in one confederation, as they stood in the early stated States, including Vermont, Kentucky, and Ten- not for revenue, but for protection; that is, intended course, they took the extraordinary ground that Con- ges of the Government, and which only is worthy of

Having now, Senators, explained what it is that endangers the Union, and traced it to its cause, and by which that can be effected, and that is, by remov- The recent movement of individuals in California to

numbers, of 2,400,000. The number of States had cluded by the ordinance of '87 and the Missouri comtion to the Union; but unfortunately both of the great in the opposite character, by not much less than a by treaty. The sovereignty, of course, is invested in has no legal or constitutional existence. It has no validation to the Union; but unfortunately below the individuals who have attented to the Union; but unfortunately below the individuals who have attented to the Union; but unfortunately below the ordinance of '87 and the Missouri comtion to the Union; but unfortunately both of the great in the opposite character, by not much less than a legal or constitutional existence. It has no validation to the Union of the Government; and, in the opposite character, by not much less than a legal or constitutional existence. It has no validation to the Union; but unfortunately below the individuals who have attented to the Union; but unfortunately below the ordinance of '87 and the Union; but unfortunately below the individuals who have attented to the Union; but unfortunately below the ordinance of '87 and the Union; but unfortunately below the ordinance of '87 and the Union; but unfortunately below to the Union; but unfortunately increased from sixteen to twenty-six, making an adpromise from the region lying between the Ohio and parties of that section were so intent on obtaining or majority of the States, it will be in vain to attempt to them, and not in the individuals who have attempted to ity, and can have none, without your sanction.

repel, on the other, all attempts to violate it. It is only by faithfully performing these high duties that the Constitution can be preserved, and with it the

But how stands the profession of devotion to the Union by our assailants, when brought to the test? Have they abstained from violating the constitution? Let the many acts passed by the Northern States to been consummated. If it did, it would not be difficult to show that the process commenced at an early
section a predominance in every part of the Government; that it proceeded, almost
which constitute the Federal Government—a majority of States and a majority of their population, estimated in federal numbers. Whatever section concenmated in federal numbers. Whatever section concenmated in federal numbers. Whatever section concenmated in federal numbers. The type of the majority of the constitution of the Government; that it proceeded, almost of the constitution followed to abolish slavery in ticular is too notorious and palpable to be denied.

The type of fugitive slaves. Not of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government in the two elements of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government; that it proceeded, almost of the Government in the two elements of the Government; and therefore the constitution that it is the only instance (to the constitution that it is the only instance (to the constitution that it is the only instance of the delivery up of fugitive slaves. Not the constitution that it is the two elements of the constitution that it That the Government claims, and practically main- meetings, to exclude the Southern States from all years, avowedly for the purpose of abolishing slave-But we are just at the close of the sixth decade, extent of its powers, will scarcely be denied by any the admission of any State hereafter into the Union constitutional—answer. Let them show a single in-

denounced the agitators or their attempts to elfect what is admitted to be unconstitutional, or a
ly vested in Congress, it follows, that the individsingle measure which they have brought forward for ly vested in Congress, it follows, that the individuals; that purpose. How can we, with all these facts before us, believe that they are sincere in their profession of devotion to the Union, or avoid believing
ty of the State and the authority of Congress and the suthority of Congress and the sutho sistance.

Union, on the part of those who are not our assailants, as sincere, when they pronounce eulogies upon from premeditation and design, it would have been, the Union, evidently with the intent of charging us with disunion, without uttering one word against our assailants. If friends of the Union, their course should be to unite with us in repelling these assaults, and denouncing the authors as enemies of the Union. Why they avoid this, and pursue the course they do, it is for them to explain.

Nor can the Union be saved by invoking the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us-a slaveholder and a planter. We have studied his history, and we find nothing in it to jus-

tify submission to wrong. On the contrary, his great fame rests on the solid foundation that, while he was careful to avoid doments in favor of agitation are stronger now than they ing wrong to others, he was prompt and decided in

Nor can we find any thing in his history to deter

There existed then as well as now, a Union-that was a union that had much to endear it to the people grew up to manhood under that Union. He ac- and government, in order to be admitted as a State into quired his early distinction in its service, and there the Union. one. He was attached to it, not as an end, but as a throughout this whole affair is unfounded, unconstitumeans to an end. When it failed to fulfill its end, tional, and dangerous, it remains to make a few remarks and, instead of affording protection, was converted in order to show that what has been done is contrary to into the means of oppressing the colonies, he did the entire practice of the Government from its commence not hesitate to draw his sword, and head the great movement by which that union was forever severed, ception, perhaps, of the Catholics, were organized very and the independence of these States established. much upon the principle of our political institutions; This was the great and crowning glory of his life,

Nor can the plan proposed by the distinguished Senator from Kentucky, nor that of the Adminstration save the Union. I shall pass by without remark of Congress. This state of things continued until the the plan proposed by the Senator, and proceed direct- government of a Territory applied to Congress to Dermit ly to the consideration of that of the Administration. tor, that in taking this course, no disrespect whatever nary act to giving permission was, to ascertain whether It is a great mistake to suppose, as is by some, that to slaveholding powers, and open to the emigration call the nation, and feel themselves accordingly bound of the respective denominations, but extended to plans is intended him or his plan. I have adopted to be a suppose, as is by some, that to slaveholding powers, and open to the emigration call the nation, and feel themselves accordingly bound of the respective denominations, but extended to plans is intended him or his plan. I have adopted it, beit is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that it is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some, that is a great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose, as is by some and the great mistake to suppose the great content with the intention of aiding their personal the South was excluded from 1,238,025 square miles, ry, the Southern section regards the relation as one aries, distributing tracts, and of establishing presses who were present when he delivered his speech, and ing a census. That being done, and the number proving in the intention of along their personal and sufficient, permission was granted. The act granting it or with the disappointed ambition of an extent of country considerably exceeding the entire which cannot be destroyed without subjecting the publication of tracts, newspapers, and periodically exceeding the entire which cannot be destroyed without subjecting the publication of tracts, newspapers, and periodically exceeding the entire which cannot be destroyed without subjecting the publication of tracts, newspapers, and periodically exceeding the entire which cannot be destroyed without subjecting the publication of tracts, newspapers, and periodically exceeding the entire which cannot be destroyed without subjecting the entire which cannot be destr of diffusing religious information, justice to the side they support, have replied to him. The plan of the Administration cannot save the Union,

> ject, to exclude the South from all territory acquired by The first of these cords which snapped, under its the Mexican treaty. It is well known that the South is united against the Wilmot proviso, and has committed unconstitutional, unjust, inconsistent with their equality brevity, I will call the Executive proviso. There is no difference between it and the Wilmot, except in the mode ico, by a positive prohibition of slavery. Not so the Ex-The strongest cord of a political character consists eeutive proviso. It takes an indirect course, and in orcountering the united and determined resistance of the from the northern States and all other quarters, except from the South, which it takes special care to exclude by holding up to them the danger of having their slaves libas effectually as would the Wilmot proviso. The only difference in this respect is, that what one proposes to effect directly and openly, the other proposes to effect the authority of Congress over the Territories, and indirectly and covertly.

But the Executive proviso is more objectionable than he Wilmot, in another and more important particular. The latter, to effect its object, inflicts a dangerous wound upon the Constitution, by depriving the southern States, ifornia stands alone, without usage, or a single example as joint partners and owners of the Territories, of their rights in them; but it inflicts no greater wound than is absolutely necessary to effect its object. The former, on the contrary, while it inflicts the same wound, inflicts tion. The Executive has laid the paper purporting to others equally great, and, if possible, greater, as I shall next proceed to explain.

In claiming the right for the inhabitants, instead of Congress, to legislate for the Territories, the Executive proviso assumes that the sovereignty over the Territories is vested in the former; or to express it in the language used in a resolution offered by one of the ern States had 1,977,899, and the Southern 1,952,072, long course of sixty years, has been transferred from views prevailed in the House of Representatives, and explained its nature and character, the question again Senators from Texas, (General Houston, now absent,) making a difference of only 25,827 in favor of the South to North. There are no data by which it can partially in the Senate, and thus the party succeeded recurs, How can the Union be saved? To this I they have "the same inherent right of self-government former States. The number of States, including be estimated with any certainty; but it is safe to say in their first movements in gaining what they proanswer, there is but one way by which it can be, and steep the states." The assumption is utterly by the Constitution, as has been fully established? Constitution, as has been fully established? Constitution as has been fully established? Constitution as has been fully established? Constitution as has been fully established? posed-a position in Congress from which agitation that is by adopting such measures as will satisfy the unfounded, unconstitutional, without example, and conwhich eight, including Vermont, belonged to the Under the most moderate estimate, it would be suffi- could be extended over the whole Union. This was States belonging to the Southern section that they trary to the entire practice of the Government, from its

ing the causes by which this belief has been produ- form a constitution and a State government, and to ap-House of Representatives, and in the electoral col- ly explains why the North has acquired a preponder- the party who got up the petitions should succeed in ced. Do that, and discontent will cease, harmony point senators and representatives, is the first fruit of this lege, in favor of the Northern, owing to the fact, that, ance over every department of the Government by getting Congress to take jurisdiction, that agitation and kind feelings between the sections be restored, monstrous assumption. If the individuals, who made lege, in favor of the Northern, owing to the fact, that, ance over every department of the Government estimating federal numbers, five slaves count but The former, as has been shown, has increased in fifarrested, destroy the Union. I then so expressed moved. The question then is, By what can this be and if, as such, they had conquered the territory and esfirst adventurers who may rush into it? Are you prethree; but it was too small to affect sensibly the per- ty years 2,400,000 over that of the South. This infect equilibrium, which, with that exception, existed crease of population, during so long a period, is sat- grounds against assuming jurisdiction, but in vain. I propose to show by what the Union cannot be try would have been vested in them, as a separate and independent community. In that case, they would have the Territories? If not, how can you, consistently with It cannot, then, be saved by eulogies on the Union, had the right to form a constitution, and to establish a however spiendid or numerous. The cry of "Union, government for themselves; and, if afterwards, they Union, the glorious Union!" can no more prevent thought proper to apply to Congress for admission into disunion than the cry of "Health, health, glorious the Union as a sovereign and independent State, all this health !" on the part of the physician can save a pa- would have been regular, and according to established tient lying dangerously ill.' So long as the Union principle. But such is not the case. It was the United instead of being regarded as a protector, is regarded States who conquered California, and finally acquired it the State of California? No; there is no such State. form a constitution and a State, without their consent. then, can you admit it as a State, when, according to the Besides, this cry of Union comes commonly from All this is clear, beyond controversy, unless it can be provision of the Constitution, you sovereignty.

Nor is it less clear that the power of legislating over acquired territory is vested in Congress, and not, as is sion to the inhabitants of a Territory to form a constitu assumed, in the inhabitants of the Territories. None tion and a State, the constitution and State they form can deny that the Government of the United States have derive their authority from the people, and not from you the power to acquire Territories, either by war or treaty; The State before admitted is actually a State, and deeple and deeple admitted is actually a State, and deeple admitted is actually a State and deeple admitted is actually a State and deeple admitted in the state and deeple admit but if the power to acquire exists, it belongs to Congress to carry it into execution. On this point there can be no doubt, for the Constitution expressly provides that Congress shall have no power "to make all laws which shall be necessary and proper to carry into execution the foregoing powers," (those vested in Congress,) "and all other powers vested by this Constitution in the Government of the United States, or in any department or office thereof." It matters not, then, where the powers is vested; for, if vested at all in the Government of the United States, or any of its departments, or officers, the power of carrying it into execution is clearly vested in Congress. But this important provision, while it gives to Congress the power of legislating over Territories, imposes imporant restrictions on its exercise, by restricting Congress to passing laws necessary and proper for carrying the power into execution. The prohibition extends, not only to all laws not suitable or appropriate to the object of the power, but also to all that are unjust, unequal, or unfair, and, therefore, unconstitutional.

their profession is but intended to increase the vigor ty of the State and the authority of Congress, and have of their assaults and to weaken the force of our rethey have done is revolutionary and rebellious i Nor can we regard the profession of devotion to the character, anarchical in its tendency, and calculated to lead fact, actual rebellion; but such is not the case, T blame lies much less upon them than upon those who have induced them to take a course so unconstitution and dangerous. They have been led into it by language held here, and the course pursued by the Executive branch of the Government.

I have not seen the answer of the Executive to the calls made by the two Houses of Congress for infer mation as to the course which it took, or the part which it acted, in reference to what was done in Californi understand the answers have not yet been printed. Bu there is enough known to justify the assertion, that those who profess to represent and act under the authority the Executive, have advised, aided, and encouraged the movement, which terminated in forming what they call a constitution and a State. General Riley, who profess. ed to act as civil governor, called the convention, determined on the number and distribution of the delegates, ap. pointed the time and place of its meeting, was present during the session, and gave its proceedings his approbation and sanction. If he acted without authority, he ought to have been tried, or at least reprimanded and disavowed. Neither having been done, the presumption is, that his course has been approved.

This of itself is sufficient to identify the Executive with his acts, and to make it responsible for them. I touch not the question, whether General Riley was appointed or received the instructions under which he professed to act from the present Executive, or its predecessor, from the former, it would implicate the preceding as well

It is manifest from this statement, that the Executive Department has undertaken to perform acts preparatory

the Executive and the individuals in California acted ment to the present time.

From its commencement until the time that Michigan was admitted, the practice was uniform. Territorial governments were first organized by Congress. The which has spread his fame over the whole globe, and will transmit it to the latest posterity.

Government of the United States appointed the Governors, Judges, Secretaries, Marshals, and other officers, and the inhabitants of the Territory were represented by legislative bodies, whose acts were subject to the revision its inhabitants to form a constitution and government however, assure the distinguished and able Sena- preparatory to admission into the Union. The prelimi the inhabitants were sufficiently numerous to authorize them to be formed into a State. This was done by tak. fixed all the preliminaries—the time and place of holding the convention; the qualification of the voters; establishbecause it can have no effect whatever towards satisfying to be settled previous to admission. The act giving permission necessarily withdraws the sovereignty of the that they can, consistently with safety and honor, United States, and leaves the inhabitants of the incipient State as free to form their constitution and government as were the original States of the Union after they had declared their independence. At this stage, the inhabitants of the Territory became for the first time a people, in legal and constitutional language. Prior to this ther were, by the old acts of Congress, called inhabitants, and not people. All this is perfectly consistent with the sor. ereignty of the United States, with the powers of Congress, and with the right of a people to self-government.

Michigan was the first case in which there was any departure from the uniform rule of acting. Hers was a very slight departure from established usage. The ordnance of '87 secured to her the right of becoming a State when she should have 60,000 inhabitants. Owing to some neglect, Congress delayed taking the census. In the mean time her population increased, until it clearly exceeded more than twice the number which entitledher to admission. At this stage she formed a constitution and government without the census being taken by the United States, and Congress waived the omission, a there was no doubt she had more than a sufficient number to entitle her to admission. She was not admitted at the first session she applied, owing to some difficulty respecting the boundary between her and Ohio. The great irregularity as to her admission took place at the next session, but on a point which can have no possible connexion with the case of California.

The irregularities in all other cases that have since occurred are of a similar nature. In all there existed territorial governments established by Congress, with officers appointed by the United States. In all, the territorial government took the lead in calling conventions and fixing the preliminaries preparatory to the formation of a constitution and admission into the Union. The all recognised the sovereignty of the United States, and wherever there was any departure from estalished user it was done on the presumed consent of Congress, and not in defiance of its authority, or the sovereignty of the United States over the Territories. In this respect Calto cover her case.

It belongs now, Senators, for you to decide what part

you will act in reference to this unprecedented transacbe the constitution of California before you, and asks you to admit her into the Union as a State; and the question is, will you or will you not admit her? It is a grave question, and there rests upon you a heavy responsibility Much, very much, will depend upon your decision. It you admit her, you endorse and give your sanction to all that has been done. Are you prepared to do so? Are you prepared to surrender your power of legislation for you, consistently with your oath to support the Consieignty over them, and that any number, more or les, may claim any extent of Territory they please; may form a constitution and government, and erect it into State, without asking your permission? Are you prepared to surrender virtually to the Executive Department all the powers which you have heretofore exercised out your duty and your oaths to support the Constitution. give your assent to the admission of California as a State under a pretended constitution and government?

Again, can you believe that the project of a constitution which they have adopted has the least validity! admitting new States. To be admitted, it must be State, an existing State, independent of your sanction before you can admit it. When you give your permit not become so, by the act of admission, as would be the case with California, should you admit her contrary constitutional provisions and established usage heretolot The Senators on the other side of the chamber must permit me to make a few remarks in this connexion par ticularly applicable to them, with the exception of a fer Senators from the South, sitting on that side of the chart ber, when the Oregon question was before this body. no two years since. You took (if I mistake not) univers ly the ground, that Congress had the sole and absolute power of legislating for the Territories. How then cal you now, after the short interval which has elapsed, about don the ground which you took, and thereby virtual admit that the power of legislating, instead of being Congress, is in the inhabitants of the Territories? can you justify and sanction by your votes the acts of the Executive, which are in direct derogation of what then contended for? But to approach still nearer to present time, how can you, after condemning, little more for all such laws would be unnecessary and improper, than a year since, the grounds taken by the party which and the commencement of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census one conversant with the political history of the counterpart of the seventh. The census of the seventh of